

STATUS OF CLAIMS

Claims 1 – 68 were pending.

Claims 1 and 61 stand rejected.

Claims 9-20, 27-60, 63-65, and 67 are withdrawn.

Claims 2-8, 21-26, 62, 66 and 68 are objected to.

Claims 1, 2, 4-5, 21, 23 and 68 have been amended without prejudice herein.

REMARKS

Reconsideration of the subject application is respectfully requested.

Objections to the Claims

The Examiner objects to claims 2-8, 21-26, 62, 66 and 68 as depending from a rejected base claim, but would allow the claims if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicant has amended claims 2, 4-5, 21, 23 and 68 to be independent in form. No new matter has been entered. In view of the foregoing amendments, Reconsideration and allowance of claims 2-8, 21-26, 62, 66 and 68 is respectfully requested.

35 U.S.C. 102(b) Rejections

Claims 1 and 61 stand rejected under 35 USC 102(b) as being anticipated by US Published Application 2002/0089262. More particularly, the Examiner asserts that the claimed structural features of Application 2002/0089262 are regarded as inherently reading on the claimed aspect dealing with the recitation of the radiation direction of the

acoustic energy generated in response to an excitation voltage of the present invention. Without addressing the issue of inherency, this rejection is respectfully traversed, as claim 1 as amended recites features and limitations neither disclosed nor suggested by the cited references of record.

35 U.S.C. 102 (b) states that a person shall be entitled to a patent unless the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States. It is well recognized that "to constitute an anticipation, all material elements recited in a claim must be found in one unit of prior art", Ex Parte Gould, BPAI, 6 USPQ 2d, 1680,1682 (1987), citing with approval In re Marshall, 578 F.2d 301, 304, 198 344, 346 (CCPA 1987).

Amended Claim 1 recites:

An ultrasonic transducer comprising:

a holder having at least two spaced apart cylindrical surfaces;

a cylindrical piezoelectric film in the spanning between the at least two spaced apart cylindrical surfaces of the holder;

an outer electrode segment disposed on an outer surface of the film; and

an inner electrode segment disposed on an inner surface of the film;

wherein the width of the piezoelectric film is less than one-half the radiating wavelength of the transducer which radiates acoustic energy substantially along a longitudinal axis thereof in response to an excitation voltage applied to the film via the electrode segments. (emphasis added).

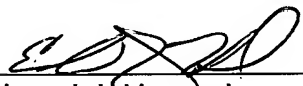
In contradistinction, the cited reference 2002/0089262 fails to disclose or suggest each of the aforementioned features and limitations. For at least this reason, independent claim 1 as amended should be allowed. Claim 61, which depends from

independent claim 1, is also allowable, at least by virtue of its dependency from patentable base claim 1. Reconsideration and removal of this 35 USC 102(b) rejection is requested.

Having fully addressed the Examiner's objections and rejections, it is believed that Claims 1, 2-8, 21-26, 62, 66 and 68 as presently appearing in this application stand in condition for allowance. Such allowance is respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (215) 542-5824, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully Submitted

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Edward J. Howard
Registration No. 42,670